



BRENT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: **24/1140**

To: Mr Lewis Westhoff
Iceni Projects
Da Vinci House,
44 Saffron Hill,
London
EC1N 8FM

I refer to your application dated **25/04/2024** proposing the following:

Demolition of the existing residential building and the construction of a new part five, part six storey residential building, together with associated landscaping, cycle parking and refuse and recycling facilities, subject to Deed of Agreement dated 16th May 2025 under Section 106 of Town and Country Planning Act 1990, as amended.

and accompanied by plans or documents listed here:
See condition 2.

at **66 Cavendish Road, London, NW6 7XP**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 16/05/2025

Signature:

David Glover
Head of Planning and Development Services

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

SCHEDULE 'A'

Appeals to the Secretary of State

The applicant may appeal to the Secretary of State if he or she is aggrieved by the decision of the local planning authority in respect of:

- (1) Refusal of a planning, Permission in Principle, Technical Details Consent, listed building consent or conservation area consent application, including refusal to vary or discharge conditions.
- (2) The conditions attached to a planning, Technical Details Consent, listed building consent or conservation area consent application.
- (3) Refusal, partial refusal or deemed refusal of a lawful development certificate.

The time period to do this will vary depending on the application type or development type. An appeal must be made within the following time periods of the decision date:

- (1) An advertisement application must be made within 8 weeks
- (2) A full application, removal or variation of condition for a householder* development must be made within 12 weeks. (See below for definition of householder)
- (3) All other application types or development types must be made within 6 months

However, different timescales apply where the development is also the subject of an enforcement notice. If an enforcement notice has been served within two years of an application being submitted or is served before the time period for determining the application has expired, the time limit to appeal is 28 days from date of refusal or the date of determination. If an enforcement notice is served after the application's decision date or date for determination, the time limit is 28 days from the enforcement notice served date, unless this would extend the period beyond the usual time limit for cases not involving an enforcement notice.

- The Secretary of State can allow a longer period for giving notice of an appeal but he/she will not normally be prepared to use this power unless there are special circumstances which excuse the delay. Appeals must be made on a form obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.gov.uk/government/organisations/planning-inspectorate.
- The Secretary of State need not consider an appeal if it seems to him/her that the local planning authority would not have been able to have granted planning permission for the development or would not have been able to have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practise, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him/her.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim he can neither put the land to a reasonably beneficial use in its existing state, nor render the land capable of a reasonably beneficial use, either carrying out any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his/her interest in the land, in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.

*For the purposes of an appeal, a householder development is development in the boundary of, or to an existing dwellinghouse for purposes incidental to the enjoyment of the dwellinghouse, that does not involve change of use or a change to the number of dwellings. Please note, this does not include development in the boundary of, or to an existing flat or maisonette. This includes "prior approval" applications for larger household extensions.

Planning and Development
Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ
Telephone: 020 8937 5210

For information on making an appeal, visit: www.planningportal.co.uk/planning/appeals or www.gov.uk/government/organisations/planning-inspectorate

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-

London Plan 2021
Brent Local Plan 2019-2041

CONDITIONS

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

A100 REV 03- Proposed Lower Ground Floor Plan
A101 REV 01 - Proposed Ground Floor Plan
A102 REV 01 - Proposed First Floor Plan
A103 REV 01- Proposed Second Floor Plan
A104 REV 01 - Proposed Third Floor Plan
A105 - Proposed Fourth Floor Plan
A106 REV 01- Proposed Fifth Floor Plan
A137 - Part M4(3) Apartments
A138 - Location Plan
A139 - Proposed Site Plan
A140 - Existing Site Plan
A141 - Existing Floor Plans
A142 - Existing North East Elevation
A143 - Existing South West Elevation
A144 - Existing South East Elevation
A145 - Existing North West Elevation
A 146 revision 01 - External Secure Cycle store
A150 REV 00 - Existing Section A-A
A151 REV 00 - Existing Section B-B
A200 REV 00 - Proposed South East Section
A201 REV 00 - Proposed North East Section
A300 REV 00 - Proposed South East Elevation
A301 REV 00 - Proposed North East Elevation
A302 REV 00 - Proposed South West Elevation
A303 REV 00 - Proposed North West Elevation

Existing trees on Proposed GA
Design Access Statement - Part 1
Design Access Statement - Part 2
Tree Protection Plan Ground Floor Plan - 240411-2.3-66CR-TPPG-MM
Tree Protection Plan Lower Ground Floor Plan - 240411-2.3-66CR-TPPLG-MM
Landscape GA 5th Floor Green Roof Rev. B -545-PCA-ZZ-05-DR-L-1004
Landscape GA – Lower Ground Floor - 545-PCA-ZZ-00-DR-L-1001 rev C
Landscape GA - Ground Floor - 545-PCA-ZZ-00-DR-L-1002 rev E
Landscape GA 4th Floor Green Roof Rev. B - 545-PCA-ZZ-04-DR-L-1003
Preliminary Ecological Appraisal and Day Time Building Inspection - Ref: P.1450.21 - March 2024
Biodiversity Management Plan - Ref P.1450.21
Arboricultural Method Statement - Ref 250106-1.2-66CR-AMS-HB – Jan 2025
Arboricultural Impact Assessment - Ref 230424-2.2-66CR-AIA-AN – April 2024
Noise Compliance report - 22292.PPCR.01

Air Quality Assessment - Ref 4396-1r3 - April 2024
 Fire Engineering - CHPK Fire Engineering Ltd (CHPKFE) - April 2024
 Basement Impact Assessment - 8975-BHP-RP-S-001 - March 2024
 Energy and Sustainability Statement - Ref. E1416-ESS-01 - April 2024
 CIBSE TM59 Overheating assessment - Ref E1416-OA-01
 Landscape report 1 and 2 dated 09/04/2024
 Surface Water Drainage Strategy - March 2024
 Noise and Vibration Impact Assessment Report - 22292.NVA.01

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>.

Reason: To protect local amenity and air quality in accordance with Brent Policy DMP1 and London Plan Policy SI1.

- 4 The approved waste storage and cycle storage facilities shall be installed prior to occupation of the development hereby approved and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the development hereby approved, unless alternative details are agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is fit for purpose.

- 5 Occupiers of the residential development hereby approved shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within any Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

- 6 The development shall be carried out fully in accordance with the recommendations on internal overheating set out in the approved Energy and Sustainability Statement, and shall not thereafter be altered in any way without the prior written consent of the Local Planning Authority.

Reason: To ensure that the development is sufficiently sustainable, in accordance with London Plan Policy SI4 and SI5.

- 7 The developer shall enter into an agreement with the Highway Authority under s278 of the Highways Act 1980 to remove the existing vehicle crossover at the site and reinstate the public footway. The works shall thereafter be completed at the developer's expense and to the

satisfaction of the Highway Authority, prior to first occupation or use of the development.

Reason: To ensure acceptable impacts upon the local highway network.

- 8 The recommendations set out in the approved *Preliminary Ecological Appraisal and Day Time Building Inspection* shall be carried out in full throughout the construction of the development and where relevant, the associated measures shall thereafter be retained and maintained.

Reason: To ensure an acceptable impact on ecology and protected species.

- 9 The development shall be implemented in strict accordance with the Tree Protection Plan and Arboricultural Method Statement (Treework Environmental Practice AMS report reference: 250106-1.2-66CR-AMS-HB rev 1.2) or subsequent approved revisions.

Reason: To ensure that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with DMP1 and BGI 2.

- 10 The residential development must be designed to ensure the following vibration levels stated in BS6472:2008 Evaluation of human exposure to vibration in buildings (1Hz to 80 Hz) are not exceeded.

	Vibration dose values - Low probability of adverse comment (m/s ^{1.75})
Residential buildings 16 h day	0.2 to 0.4
Residential buildings 8 h night	0.1 to 0.2

Reason: To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess vibration from transportation sources.

- 11 The scheme hereby approved shall contain 23 residential dwellings within Use Class C3 as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 12 The building shall be designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010.

Reason: In order to ensure a sustainable development by minimising water consumption.

- 13 The development hereby approved shall be built so that no fewer than 3 of the residential homes achieve Building Regulations requirement M4(3) - 'wheelchair user dwellings', and the remaining ground floor homes shall be built to achieve Building Regulations requirement M4(2) - 'accessible and adaptable dwellings'.

Reason: To ensure that the development achieves an inclusive design in accordance with London Plan Policy D7.

- 14 The development shall be carried out in full accordance with the approved Construction Environmental Method Statement prepared by Liongate Construction, titled "Construction Environmental Method Statement for 66 Cavendish Road Project" (dated April 2025) . The measures set out in the approved Method Statement shall be implemented in full throughout the construction period of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance, and to safeguard existing biodiversity, amenity value of the site and surrounding area in accordance with policies DMP1 and BGI 2.

- 15 (a) Prior to the commencement of development (excluding site clearance and demolition), a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present within that Phase. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of building works that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors.

(b) Any soil remediation required by the Local Planning Authority shall be carried out in full in accordance with the approved remediation works. Prior to the occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority stating that remediation has been carried out in accordance with the approved remediation scheme and the land is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

Reason: To ensure the safe development and secure occupancy of the site.

- 16 Details of materials for all external building work, including samples which shall be made available for viewing in an agreed location, shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the development (excluding demolition, site clearance and laying of foundations). The work shall be carried out in accordance with the approved details thereafter, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

- 17 Prior to the commencement of development (excluding demolition, site clearance and laying of foundation), details of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- i. A planting schedule detailing all proposed trees/plants/bulbs/plugs including numbers, pot sizes and densities including:
Detail biodiversity enhancement through planting schemes that provide:
 - a) nectar, pollen and fruit resources throughout the seasons, a variety of structural diversity and larval food plants, through no less than 60% native and local species by number and diversity.
 - b.) Ornamental plants will not include any genera or species on Schedule 9 of the Wildlife and Countryside Act (1981) or the LISI list and should be on the "RHS Plants for Pollinators" lists (or of documented wildlife value), to provide increased resource availability.
 - c.) Cross-section/build-up of green roofs/biosolar roofs /living walls/ rain gardens (including how access for management will be created and maintained);
 - d.) Technical details of biodiverse roofs on bike / bin storage areas;
- ii. Details of all proposed hardstanding
- iii. Details of garden wall, fences or other form of boundary treatment to be provided within the site (including details of external materials and heights)
- iv. Details of a suitable trespass proof fence adjacent to the boundary with the railway line (including details of external materials and heights) in consultation with Network Rail
- v. Details of appropriate vehicle safety protection measures along the boundary with the railway in consultation with Network Rail

- vi. Details to maximise the urban green factor (UGF) for the site in line with policy BH4 of Brent's Local Plan 2019-2041, including the requirement to submit a UGF Masterplan
- vii. Details of cycle storage through the provision of secure, weatherproof cycle storage facility, which shall each have capacity for a minimum of 2- long-stay spaces
- viii. Details of any external lighting and overspill diagram in relation to the adjoining residential properties and railway line
- viii. Details of refuse store facilities

The hard and soft landscape works shall be carried out in full accordance with the approved details prior to the use of the dwellings hereby approved, unless alternative timescales have been submitted to and approved to be agreed in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved timescales.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Any new trees(s) that die(s), are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details (unless the Local Planning authority gives its written consent to any variation).

Reason: To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality, and to protect the adjoining railway in accordance with policies DMP1 and BGI 2.

- 18 Prior to occupation of the development hereby permitted, a post development lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme will include:

- Pre-development light levels, including ambient lighting from the surrounds, presented as 1m centre spot values down to 0.1lux, with isolux contour lines showing light degradation
- Post-development light levels, presented as 1m centre spot values down to 0.1lux, with isolux contour lines showing light degradation and 3D luminance in-the-scene modelling
- Assessment of external lighting and light spill from any buildings through windows / security lighting etc.
- The technical details of the luminaires and columns to be used, including their location, type, shape, dimensions and expected luminance output and specifically explaining what design attributes have been chosen to minimise light pollution.
- Consideration of horizontal spill up to <<20m>> from the site boundary if adjacent to a SINC / designated green space.
- Vertical spill shown in cross-sectional views.

Lighting will be designed to minimise impacts on biodiversity as outlined in Guidance Note 08/23 Bats and Artificial Lighting (Institute of Lighting Professionals and the Bat Conservation Trust).

Reason: To protect/fully mitigate/ enhance the biodiversity value of the land and adjacent land in accordance Policy BGI of the Brent Local Plan.

- 19 All residential premises shall be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following noise levels:

Time	Area	Maximum noise level
daytime noise 07:00-23:00	living room bedrooms	35 dB LAeq (16hr)
night time noise 23:00-07:00	bedrooms	30 dB LAeq (8hr) 45 dB LMax

Prior to first occupation of the development hereby approved, a test shall be carried out and the

results submitted to and approved in writing by the Local Planning Authority to demonstrate that the required noise levels have been met.

Reason: To obtain required sound insulation and prevent noise nuisance.

- 20 Prior to occupation of the development hereby permitted, a scheme for wildlife and nesting features in accordance with the recommendation of the Ecological Impact Assessment Report shall be submitted to and approved in writing by the Local Planning Authority.

The scheme will include full details on: numbers of each feature, type of feature / box / brick, location (plan and elevation views) of each feature, height above ground (if applicable) and nearest external lighting (if likely to have an impact).

Features shall be undertaken in accordance with the approved scheme and thereafter retained in perpetuity.

Reason: To enhance the biodiversity value of the land in accordance Policy BGI of the Brent Local Plan.

- 21 Prior to first occupation of the development hereby approved, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- a) As built plans
- b) Photographs to document each key stage of the drainage system when installed on site;
- c) Photographs to document the completed installation of the drainage structures on site;

The Maintenance and Management Schedule should be strictly followed after completion of the development and form as part of the O&M Manual. The owner of the Maintenance and Management Schedule should be clearly identified.

Reason: To ensure that surface water flooding is reduced and controlled within the site.

- 22 Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises. An assessment of the expected noise levels shall be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and any mitigation measures necessary to achieve the above required noise levels shall be submitted to and approved in writing by the Local Planning Authority. The plant shall thereafter be installed together with any necessary mitigation measures and maintained in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To protect acceptable local noise levels, in accordance with Brent Policy DMP1.

INFORMATIVES

1 - The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Brent Council.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

2 - The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.

3 - Thames Water has advised the applicant of the following:

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

[https://urldefense.com/v3/__https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes_!!CVb4j_0G!DYspoYi5Kj5SfYxVhGdGja7UBXXB1hh-bA6MtyrEMwVj5KQ8m-CFG3TjHdRnDvAhHuvgnYc\\$](https://urldefense.com/v3/__https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes_!!CVb4j_0G!DYspoYi5Kj5SfYxVhGdGja7UBXXB1hh-bA6MtyrEMwVj5KQ8m-CFG3TjHdRnDvAhHuvgnYc$) .

The proposed development is located within 15 metres of our underground waste water assets and as such we would like the following informative attached to any approval granted. “The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide ‘working near our assets’ to ensure your workings are in line with the necessary processes you need to follow if you’re considering working above or near our pipes or other

structures.[https://urldefense.com/v3/__https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes_!!CVb4j_0G!DYspoYi5Kj5SfYxVhGdGja7UBXXB1hh-bA6MtyrEMwVj5KQ8m-CFG3TjHdRnDvAhHuvgnYc\\$](https://urldefense.com/v3/__https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes_!!CVb4j_0G!DYspoYi5Kj5SfYxVhGdGja7UBXXB1hh-bA6MtyrEMwVj5KQ8m-CFG3TjHdRnDvAhHuvgnYc$) . Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

Water Comments

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

[https://urldefense.com/v3/__https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes_!!CVb4j_0G!DYspoYi5Kj5SfYxVhGdGja7UBXXB1hh-bA6MtyrEMwVj5KQ8m-CFG3TjHdRnDvAhHuvgnYc\\$](https://urldefense.com/v3/__https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes_!!CVb4j_0G!DYspoYi5Kj5SfYxVhGdGja7UBXXB1hh-bA6MtyrEMwVj5KQ8m-CFG3TjHdRnDvAhHuvgnYc$)

The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

[https://urldefense.com/v3/_https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes_!!CvB4j_0G!DYspoYi5Kj5SfYxVhGdGja7UBXXB1hh-bA6MtyrEMwVj5KQ8m-CFG3TjHDRnDvAhHuvgnYc\\$](https://urldefense.com/v3/_https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes_!!CvB4j_0G!DYspoYi5Kj5SfYxVhGdGja7UBXXB1hh-bA6MtyrEMwVj5KQ8m-CFG3TjHDRnDvAhHuvgnYc$) . Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk

4 - BAPA (Basic Asset Protection Agreement)

As the proposal includes works which could impact the existing operational railway and in order to facilitate the above, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent. Therefore, the applicant will submit an Asset Protection Questionnaire to AssetProtectionLNWSouth@networkrail.co.uk

No works are to commence until agreed with Network Rail. Early engagement with Network Rail is strongly recommended.

For further information on interfacing with Network Rail please see Working by the railway - Network Rail

5 - The developer is reminded that a Natural England Low Impact Class Licence and mitigation measures will be required to redevelop the site, and is advised to refer to the recommendations set out in the approved Bat Emergence Survey (Crossman Associates, Ref B1203.003 Issue 1, 18.10.21) in this respect. The developer should also be aware of any protected species legislation relevant to the implementation of this development, including statutory protection for nesting birds. Further guidance on construction near protected species can be found at

<https://www.gov.uk/guidance/construction-near-protected-areas-and-wildlife>

6 - The applicant is informed that, in relation to the discharge of conditions regarding the remediation of contaminated land, the quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.

7 - The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk

8 - The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.